REMARKS

The Examiner is thanked for the performance of a thorough search.

By this amendment, Claims 1, 7, 14, and 20 have been amended, Claims 4 and 17 have

been cancelled, and no claims have been added. Consequently, Claims 1-3, 5-16, and 18-26 are

currently pending in the application.

OBJECTIONS TO CLAIMS 7 AND 20 HAVE BEEN OVERCOME

Claims 7 and 20 have been amended to correct a typographical error that was

inadvertently introduced into the claims. Consequently, it is respectfully submitted that the

objections to Claims 7 and 20 have been addressed and overcome.

THE PENDING CLAIMS ARE PATENTABLE OVER THE CITED ART

Each pending claim recites at least one element that is not disclosed, taught, or suggested

by the cited art. Each pending claim will be discussed below.

Claim 1

Claim 1 has been rejected under 35 U.S.C. § 102(e) for allegedly being anticipated in

view of U.S. Patent No. 6,879,995 issued to Chinta et al. ("*Chinta*").

Claim 1 recites:

> storing, by a first database server, a first set of space usage data that identifies a
> first amount of free space associated with the database,
> wherein the first set of space usage data is updated, by the first database server,
> based on changes made to the database by the first database server;
> retrieving, from one or more second database servers, a second set of space usage
> data that identifies a second amount of free space associated with the
> database,

> wherein the second set of space usage data is updated, by the one or more second database servers, based on changes made to the database by the one or more second database servers;
>
> updating the first set of space usage data with the second set of space usage data; and
>
> evaluating the usage of space in the database based on the updated first set of space usage data.

None of the above-elements of Claim 1 are not disclosed, taught, or suggested by *Chinta*.

Claim 1 recites the element of "storing, by a first database server, a first set of space usage data that identifies a first amount of free space associated with the database." The portion of *Chinta* cited to show this element (FIG. 2C, 108A, 110) merely illustrates a client computer which may communicate with two different database servers that each interact with the same database. However, nothing in FIG. 2C, or the corresponding description in *Chinta*, states or suggests that the database server shown in FIG. 2C stores any data that identifies a first amount of free space associated with the database.

The Office Action states that *Chinta* teaches this element because "the system taught by *Chinta* has a capacity to access different partitions of the database storage, i.e., first and second spaces". Thus, the approach of *Chinta* is similar to approaches discussed in the Applicants background in which, in order to determine how much free space a database has, it is necessary to access the database to perform a series of calculations to arrive at the answer. The approach of Claim 1 avoids the disadvantages of prior approaches, such as *Chinta*, because it is not necessary to access the database to determine how much free space is associated with the database. For example, Claim 1 requires that the first database server store a first set of space usage data; however, *Chinta* lacks any teaching or suggestion of a database server that **stores** space usage data as claimed. Instead, *Chinta* merely suggests **retrieving** space usage data from a database. Consequently, this element cannot be disclosed, taught, or suggested by *Chinta*.

Moreover, Claim 1 also features "wherein the first set of space usage data is updated, by the first database server, based on changes made to the database by the first database server." The portion of *Chinta* cited to show this feature (FIG. 23) lacks any teaching or suggestion of a database server **updating** any data that identifies an amount of free space associated with a database based on changes made to the database by the database server. Indeed, in the approach of *Chinta*, no database server updates any data that can be analogous to space usage data based on changes made to the database by the database server. Consequently, this element cannot be disclosed, taught, or suggested by *Chinta*.

As *Chinta* fails to disclose, teach, or suggest the above elements, *Chinta* also fails to disclose, teach, or suggest the remainder of the elements recited by Claim 1. For example, in *Chinta*, a database server never retrieves, from another database server, a second set of space usage data that identifies a second amount of free space associated with the database, where the second set of space usage data is updated, by the other database server, based on changes made to the database by the other database server. The Office Action does not even allege that Chinta teaches a first database server that retrieves space usage data as claimed from <u>a second database server</u>; instead, the Office Action merely states that *Chinta* teaches a single database server may access different partitions of a single database. However, a single database server accessing different partitions of a single database does not meet the express limitations of "retrieving, from one or more second *database servers*, a second set of space usage data that identifies a second amount of free space associated with the database" as recited by Claim 1.

As at least one element is not disclosed, taught, or suggested by *Chinta*, it is respectfully submitted that Claim 1 is patentable over the cited art and is in condition for allowance.

Claims 2-3, 5-16, and 18-26

Independent Claim 14 recites features similar to those discussed above with reference to Claims 1, except that Claim 14 is recited in computer-readable medium format. Consequently, for at least the reasons discussed above with reference to Claim 1, it is respectfully submitted that Claim 14 is patentable over the cited art and are in condition for allowance.

Claims 2-3, 5-13, 15-16, and 18-26 are dependent claims, each of which depends (directly or indirectly) on one of the claims discussed above. Each of Claims 2-3, 5-13, 15-16, and 18-26 is therefore allowable for the reasons given above for the claim on which it depends. In addition, each of Claims 2-3, 5-13, 15-16, and 18-26 introduces one or more additional limitations that independently render it patentable. However, due to the fundamental differences already identified, to expedite the positive resolution of this case a separate discussion of those limitations is not included at this time, although the Applicants reserve the right to further point out the differences between the cited art and the novel features recited in the dependent claims.

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CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

Hickman Palermo Truong & Becker LLP

Dated: February 26, 2007
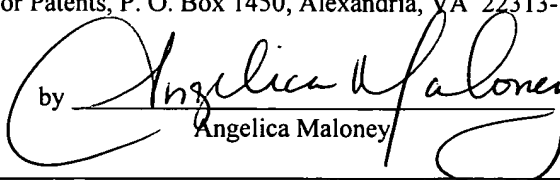
Christopher P. Brokaw
Reg. No. 45,620

2055 Gateway Place, Suite 550
San Jose, CA 95110-1089
Telephone: (408) 414-1225
Facsimile: (408) 414-1076

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